

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re:

TIFFANY BESTANI,

Debtor.

)
) Bankruptcy Case
) No. 16-12768-BFK
) Chapter 7
)

MOTION TO REOPEN CASE

COMES NOW H. Jason Gold, the discharged chapter 7 trustee ("Former Trustee") for the estate of the debtor, Tiffany Bestani ("Debtor") and moves to reopen this closed chapter 7 bankruptcy case pursuant to Bankruptcy Code § 350(b) and Federal Rule of Bankruptcy Procedure 5010, stating to the Court as follows;

1. The Debtor commenced her case on August 11, 2016 by the filing of her voluntary petition under chapter 7 of the Bankruptcy Code.
2. The Former Trustee conducted the first meeting of creditors under 11 U.S.C. § 341 on September 26, 2016.
3. The Trustee filed a Report of No Distribution on September 30, 2016.
4. The Debtor received her discharge on December 7, 2016.
5. On December 12, 2016, the case was closed.
6. In September 2017, the Trustee became aware of assets that were not disclosed to the Trustee – specifically the Debtor's interest in certain domain names and related accounts ("Undisclosed Assets"). These assets are related to a lawsuit pending in Santa Clara County

H. Jason Gold, Va. Bar No. 19117
Dylan G. Trache, Va. Bar No. 45939
NELSON MULLINS RILEY & SCARBOROUGH LLP
101 Constitution Avenue, NW, Suite 900
Washington, DC 20001
(202) 712-2800
Chapter 7 Trustee (Discharged)
~#4847-5014-3313~

Superior Court. The Former Trustee believes that these assets should be administered for the benefit of the estate through a proposed settlement and release.

7. Bankruptcy Code § 350(b) provides that a case may be reopened “to administer assets, to accord relief to the debtor, or for other cause.” *See also Stackhouse v. Plumlee (In re Plumlee)*, 236 B.R. 606, 610 (E.D. Va. 1999) (citing cases stating “it is the duty of the court to reopen an estate whenever prima facie proof is made that it has not been fully administered.”) (citations omitted).

8. The Former Trustee requests that this chapter 7 bankruptcy case be reopened in order to administer the Debtor’s interest in the Undisclosed Assets and the underlying litigation and to distribute any funds received to creditors following approval of a final report.

9. The Former Trustee requests that the Office of the United State Trustee appoint a chapter 7 trustee to administer the Debtor’s assets.

10. Pursuant to Local bankruptcy Rule 9013-1(G), this motion and memorandum of points and understanding have been combined into a single pleading.

WHEREFORE, H. Jason Gold, Former Trustee, prays this Court enter an order (i) reopening this chapter 7 bankruptcy case, (ii) requesting the U.S. Trustee’s office appoint a chapter 7 trustee, and (iii) for such other and further relief as may be necessary.

Respectfully Submitted,

H. JASON GOLD,
FORMER TRUSTEE

NELSON MULLINS RILEY & SCARBOROUGH LLP
101 Constitution Avenue, NW, Suite 900
Washington, DC 20001
(202) 712-2800

By: /s/ H. Jason Gold
H. Jason Gold, Va. Bar No. 19117
Dylan G. Trache, Va. Bar No. 45939

Chapter 7 Trustee (Discharged)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of September 2017, a copy of the foregoing was sent by first class mail, postage prepaid, to the parties on the attached service list ¹ and, to:

Office of the U.S. Trustee
115 South Union Street, Suite 210
Alexandria, Virginia 22314

Robert Sergio Brandt
The Law Office of Robert S. Brandt
1513 King Street
Alexandria, VA 22314

/s/ H. Jason Gold
H. Jason Gold

¹ Pursuant to Local Rule 5005-1(C)(8), the attached service list is not to be served on each of the parties, but is attached to the original Certificate of Service filed with the Court.